

53020

Serial No.

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

MAY 14 1989

Date of filing in State Engineer's Office.....

Returned to applicant for correction.....

Corrected application filed..... Map filed..... October 9, 1968 under 20489

The applicant..... Bert T. Swanston, an undivided 1/3 interest; Robert Swanston, an undivided 1/3 interest; Robert Leal & Elysian Farms, Inc., an undivided 1/3 interest

500 "N" Street, Suite 23 of Sacramento City or Town
Street and No. or P.O. Box No.

California 95814 hereby make..\$ application for permission to change the
State and Zip Code No.

Point of Diversion and Place of Use
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit 38996
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is Underground
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 0.10 c.f.s.
Second feet, acre feet. One second foot equals 448.3 gallons per minute.
3. The water to be used for Stock water and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for Stock water and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point Lt. 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$) Section 1, T. 36 N., R. 66 E.,
Describe as being within a 40-acre subdivision of public survey and by course and
M.D.B.&M., or at a point from which the NE corner of said Section 1 bears N.
distance to a section corner. If on unsurveyed land, it should be stated.
88° 39' E., a distance of 5,017.00 feet.
6. The existing permitted point of diversion is located within NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 1, T. 36 N., R. 66 E.,
If point of diversion is not changed, do not answer
M.D.B.&M., or at a point from which the N $\frac{1}{4}$ corner of said Section 1 bears N. 57°
00' W., 1006 feet.
7. Proposed place of use Lt. 4, (NW $\frac{1}{4}$ NW $\frac{1}{4}$) Section 1, T. 36 N., R. 66 E., M.D.B.&M.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 1, T. 36 N., R. 66 E., M.D.B.&M.
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
10. Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drill and cased well, pump, motor stock
State manner in which water is to be diverted, i.e., diversion structure, ditches,
water tank
pipes and flumes, or drilled well, etc.
12. Estimated cost of works \$10,000.00
13. Estimated time required to construct works 2 years

14. Estimated time required to complete the application of water to beneficial use 5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Please use Proof of Beneficial Use Map filed in support of Permit 20489 for the proposed Point of Diversion and proposed Place of Use. Further, please use map filed in support of 38996 for the existing Point of Diversion and existing Place of Use. A stock watering tank will be placed at the works of Diversion.

/s/ Jack D. Ferris

By THIEL, WINCHELL & ASSOCIATES, INC.
5151 So. Carson St., Suite 301
Carson City, NV 89701

Compared kh/ jjs cl/bk

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 38996 is issued subject to the terms and conditions imposed in said Permit 38996 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0343 cubic feet per second, or sufficient to water 1000 head of cattle and 100 horses.

Work must be prosecuted with reasonable diligence and be completed on or before June 16, 1996

Proof of completion of work shall be filed before July 16, 1996

Application of water to beneficial use shall be made on or before December 16, 1996

Proof of the application of water to beneficial use shall be filed on or before January 16, 1997

Map in support of proof of beneficial use shall be filed on or before January 16, 1997

Completion of work filed _____ IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.

Proof of beneficial use filed _____ State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 4th day of January,

Cultural map filed _____ A.D. 1996

Certificate No. _____ Issued _____

[Signature]
State Engineer